

OFFICIAL

Due Date: May 30, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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In re' Application of:)

Inventors: Ramin C. Nakisa et al)

Examiner: Michael B. Holmes)

Serial #: 09/651,982)

Group Art Unit: 2121)

Filed: August 31, 2000)

Appeal No.: _____)

Title: EXPERT SYSTEM)**BRIEF OF APPELLANTS****MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §1.192, Appellants' attorney hereby submits the Brief of Appellants, in triplicate, on appeal from the final rejection in the above-identified application as set forth in the Office Action dated December 30, 2003.

Please charge the amount of \$330.00 to cover the required fee for filing this Appeal Brief as set forth under 37 CFR §1.17(c) to Deposit Account No. 14-0225 of NCR Corporation, the assignee of the present application. Also, please charge any additional fees or credit any overpayments to Deposit Account No. 14-0225.

I. REAL PARTY IN INTEREST

The real party in interest is NCR Corporation, the assignee of the present application.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

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information, and generating messages including traveling program code and/or data, but not in the specific combination recited by Appellants' claims. Indeed, while Ogilvie may discuss the use of servers (claims 30 and 59), servlets (claim 31), XML formatting (claims 32 and 56), nowhere does Ogilvie bring all the disparate elements together to create a system as recited in Appellants' claims. In addition, Ogilvie does not teach or suggest that an application server runs server-side web applications, a first web application responds to calls from a consumer website, and a second web application allows access to the server by authorized expert terminals (claim 30), the server-side web applications are Java Servlets (claim 31), the rule set and data on consumers and on possible recommendations are stored at the server as XML (Extensible Markup Language) documents (claim 32), a set of parameters are contained in an XML (Extensible Markup Language) DTD (document type definition) (claim 56), or holding on a server the rules and data on consumers and on possible recommendations, storing on a remote terminal recommendations made by an expert and the requirements of consumers that that expert has advised, and providing that stored data to the server for use in updating the rules (claim 59).

Consequently, the combination of Shen and Ogilvie does not anticipate or render obvious Appellants' claims.

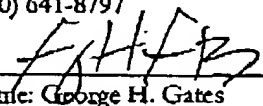
IX. CONCLUSION

In light of the above arguments, Appellants' attorney respectfully solicits a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in this application.

Respectfully submitted,

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Date: May 28, 2004

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